

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
May 23, 2017

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:31 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Ms. Donna Apisa
Mr. Roy Ho
Mr. Sean Mahoney

The following staff members were present: Planning Department – Chance Bukoski; Office of the County Attorney – Deputy County Attorney Jodi Higuchi Sayegusa; Office of Boards and Commissions – Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Subdivision Committee Chair Ho called the meeting to order at 8:31 a.m.

ROLL CALL

Mr. Ho: Mr. Bukoski, roll call, please.

Staff Planner Chance Bukoski: Chair Ho.

Mr. Ho: Here.

Mr. Bukoski: Commissioner Mahoney.

Mr. Mahoney: Here.

Mr. Bukoski: Commissioner Apisa.

Ms. Apisa: Here.

Mr. Bukoski: Three (3) present.

APPROVAL OF AGENDA

Mr. Bukoski: We are moving on to Item C, Approval of Agenda.

Mr. Mahoney: Move to approve the agenda.

Ms. Apisa: Second.

Mr. Ho: All in favor? (Unanimous voice vote) Motion carries 3:0.

Mr. Bukoski: Thank you, Chair.

MINUTES of the meeting(s) of the Subdivision Committee

Meeting of May 9, 2017

Mr. Bukoski: Item D, meeting minutes. For the record, there will be no meeting minutes of May 9, 2017, so none.

RECEIPT OF ITEMS FOR THE RECORD (None)

Mr. Bukoski: Moving on to Item E, Receipt of Items for the Record. None.

HEARINGS AND PUBLIC COMMENT

Mr. Bukoski: Item F, Hearings and Public Comment.

Mr. Ho: The Subdivision Committee invites all who have testimony today regarding our agenda items. Seeing none.

GENERAL BUSINESS MATTERS (None)

Mr. Bukoski: Item G, General Business Matters. None.

UNFINISHED BUSINESS (For Action)

Subdivision Application No. S-2015-7; *Property Development Centers, LLC*; Proposed 11-lot subdivision; TMK: (4) 3-3-003:046; Lihu'e, Kaua'i

Mr. Bukoski: Item H. We have one (1) item for Unfinished Business, Final Subdivision Map Approval. Subdivision Application No. S-2015-7; *Property Development Centers, LLC*; proposed 11-lot subdivision; TMK: (4) 3-3-003:046; Lihu'e, Kaua'i.

Concerning the subdivision application, we have received all various comments from the various government agencies and we are recommending final approval.

Mr. Ho: Is there someone in the audience for Property Development Centers? Please.

Galen Nakamura: Good morning, Commissioners. Galen Nakamura, one of the attorneys for PDC.

Mr. Ho: Have you had a chance to review the...

Mr. Nakamura: The report? Yes, we have. Thank you.

Mr. Ho: The last time you were here there was a deferral. Could you tell us why there was a deferral?

Mr. Nakamura: Yes. The Planning Department was still awaiting outstanding agency approval letters from four (4) to five (5) different agencies, so we've secured all those approvals now.

Mr. Ho: Have you gotten all of the approvals?

Mr. Nakamura: Yes. All of the approvals have been secured.

Mr. Bukoski: Correct.

Mr. Ho: And what is your recommendation?

Mr. Bukoski: Recommending final approval.

Mr. Ho: I need a motion, please, Commissioners.

Mr. Mahoney: Just a second. Do you understand all the conditions?

Mr. Nakamura: Yes.

Mr. Mahoney: And everything is going to be complied with. I think that's what we were...okay. And all the agency...that was good news that they've been complied with, so I'm good with it then.

Ms. Apisa: Move to approve.

Mr. Mahoney: Second.

Mr. Ho: Motion on the floor is to approve. All in favor? (Unanimous voice vote) Motion carries 3:0.

Mr. Nakamura: Thank you, Chair.

NEW BUSINESS (For Action)

Final Subdivision Map Approval

Subdivision Application No. S-2017-2; Commercial Properties, LTD; Proposed 2-lot consolidation; TMK: (4) 3-3-013:048 & 049; Lihue, Kauai

Mr. Bukoski: Thank you, Chair. Moving on to Item I, New Business. We have two (2) items for this agenda. First item, Final Subdivision Map Approval. Subdivision Application No. S-2017-2; Commercial Properties, LTD; proposed 2-lot consolidation; TMK: (4) 3-3-013:048 and 049.

The Subdivision Report. Subdivision Application No. S-2017-2 that involves a consolidation of two (2) lots. The Evaluation of the project. The proposed development consolidates two (2) existing lots within the Limited Industrial zoning area. We received all various government comments and we are recommending final approval.

Mr. Ho: Is there someone in the audience for Commercial Properties?

Maren Arismendez: Good morning. My name is Maren Arismendez from Esaki Surveying. I'm here on behalf of the owners.

Mr. Ho: Anybody have any questions for (inaudible)?

Ms. Apisa: Maybe just a little summary or something, background. Why the consolidation?

Ms. Arismendez: The owners own the two (2) adjacent lots and a bigger, consolidated lot just lets them have more use or have a better use of those two (2) lots than two (2) smaller individual.

Ms. Apisa: I don't have any problem with it.

Mr. Mahoney: Okay. You understand all the conditions?

Ms. Arismendez: Yes.

Mr. Mahoney: (Inaudible) complying with Water. I was noticing that Water...water meters that are presently serving the original parcels will remain in their present locations.

Ms. Arismendez: Correct.

Mr. Mahoney: Further requests to relocate the meters will require applications and complete all Department of Water...so you understand—

Ms. Arismendez: Yes.

Mr. Mahoney: —and willing to comply with all that? Okay.

Ms. Apisa: Okay. Move to approve.

Mr. Mahoney: Second.

Mr. Ho: Moved and seconded. Is there any more discussion to follow? None? Seeing none. A vote, please. All in favor? (Unanimous voice vote) Motion carries 3:0. You have it.

Ms. Arismendez: Thank you.

Subdivision Extension Request

Subdivision Application No. S-2009-17; Aukahi Farm, LLC; Proposed 7-lot subdivision; TMK: (4) 2-8-012:001 & 011; Kōloa, Kauaʻi

Mr. Bukoski: Moving on to the next item on the agenda, Subdivision Extension Request. Subdivision Application No. S-2009-17; Aukahi Farms, LLC; proposed 7-lot subdivision; TMK: (4) 2-8-012:001 & 011; Kōloa, Kauaʻi.

The Extension Report. The Background and Findings. The proposed subdivision establishes a total of seven (7) lots and one (1) roadway lot within the County-zoned Agricultural District. The subdivision application was granted tentative approval by the Planning Commission on March 9, 2009 and the applicant's request is the second extension of the tentative approval. The subject property is located within the southeastern end of Kōloa Town Core and along the western side of Hapa Road. The property is situated approximately 1,000 feet north of the St. Raphael Catholic Church facility and located within the rural residential neighborhood. The developed properties in the area contain single-family residences, whereas the vacant parcels are consider fallow, agricultural lands. Progress of the Subdivision. In considering the extension request, it should be noted that the applicant has shown little progress with the development. There are more requirements that remain unresolved and there has been very little progress within the project in the last eight (8) years. While granting the applicant's extension request will allow additional time to resolve the requirements with the various reviewing agencies, the applicant has been granted sufficient time to complete the project; therefore, the Department cannot continue to justify granting the extension of time after this request. It is important to understand that allowing the subdivision application to lapse will not prevent the applicant from reapplying for a subdivision once the infrastructure issues are resolved. At such time the applicant is ready to pursue the project, a new subdivision application may be submitted and processed. I'll hold off on my recommendation.

Mr. Ho: Is someone in the audience for Aukahi Farm?

Max Graham: Good morning. I'm Max Graham and with me, Ian Jung, for Aukahi Farms, LLC. I understand the basis for the suggested denial of the request for extension, but we are so close now. Actually, we have been doing a lot of work. All of the conditions of tentative approval have been fulfilled and the final thing we have to do is we have to resolve, with the Planning Department, the issue of the access pursuant to Ordinance 777, which is when you have subdivisions that you have to determine whether there are any needs to provide public access or

trails to either the mountains or the shoreline or to public areas or to historic areas. In our case, this property is located mauka of the Catholic Church on the paved portion of Hapa Road in Po'ipū, Kōloa. It doesn't have any access to mountains. It doesn't have any access to the shoreline. Hapa Road itself is open and won't be impacted by the subdivision. There are no historic sites. We recently had to complete an AIS; one of the many things we've done in this case. There are no historic sites and there are no public areas there, so not withstanding that, the Planning Department has asked us to check one final time with Public Works to make sure that they don't have any issues and so that's really the final thing that needs to be done. We'll be doing that...my partner Mr. Jung has promised that we will have a meeting with Public Works no later than next week. And with that, if we can resolve that issue, that's all that has to be done. The water lines are in, the water meters are in, the archaeological work has been done, all the documents have been prepared, and today I'll be transmitting, to the Planning Department, the Dedication Deed for the roadway lot expansion. There's a roadway lot that goes along side of Hapa Road that the County asked be dedicated. We're very close, so what I would ask you is, please, to grant the extension for...give us three (3) months and we'll have it all done and wrapped up by then.

Mr. Ho: Committee members?

Mr. Mahoney: Well, it seems like you've done your due diligence on a lot of it and if you can commit to within the next three (3) months of getting it done, it seems like...you know, it's been a long haul from 2009, but you've made a lot of progress so that's encouraging. Thank you.

Mr. Ho: Ms. Apisa.

Ms. Apisa: Move to grant an extension for three (3) months.

Mr. Mahoney: Second.

Mr. Ho: Motion is for a 3-month--

Mr. Mahoney: Do we have to listen to your recommendation?

Ms. Apisa: Any recommendations or conditions?

Mr. Bukoski: My recommendation. Based on the reasons noted above, the Department recommendation is to deny the extension request. Furthermore, the applicant is made aware that the new subdivision application may be processed at such time the infrastructure issues are decided.

Mr. Ho: So the motion still on the floor has been made and seconded for a 3-month extension. Is that what you are asking for, gentlemen?

Mr. Graham: Yes.

Mr. Ho: 3-month extension.

Ms. Apisa: So you can live with that?

Mr. Bukoski: From the planning standpoint, I believe we can live with that.

Mr. Ho: Okay. The motion still stands on the floor and seconded for a 3-month extension. Any more discussion? Take a vote. All in favor? (Unanimous voice vote) Motion carries 3:0. You have it, gentlemen; three (3) months.

Mr. Graham: Thank you very much.

ADJOURNMENT

Mr. Bukoski: Item J. We do not have any more items on the agenda and the meeting is adjourned.

Mr. Ho: Seeing that, I ask for a motion to adjourn.

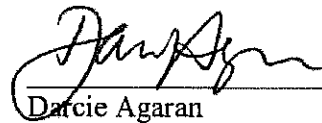
Ms. Apisa: So moved.

Mr. Mahoney: Second.

Mr. Ho: All in favor? (Unanimous voice vote) Motion carries 3:0. We are adjourned. Thank you.

Subdivision Committee Chair Ho adjourned the meeting at 8:44 a.m.

Respectfully submitted by:



Darcie Agaran
Commission Support Clerk

() Approved as circulated (add date of meeting approval).

() Approved as amended. See minutes of _____ meeting.